2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

592 Among prosperous families the number of kibitkas occupied by its members might be
593 quite large. In addition to a separate establishment for each of the older sons those who could afford to do so had additional kibitkas for each wife and her children.[5] Radlov[6] mentions that a rich Kazak might have kibitkas in several different places with a wife and children in each among which he divided his time.

595 In general, however, most Kazak were obliged to rest content with one wife because of the financial outlay involved in acquiring additional ones. By Mohammedan law a man was allowed four wives but this restriction seems to have been treated lightly by those who could afford to do so. Tlenshiev knew, or at least had heard of, a man with forty wives.

The senior wife, the first one married (bəjbice) was nominally the mistress of the household and dominated the others (toqal or kici əjel[7]). The degree to which the senior wife actually controlled her juniors varied considerably with circumstances and the personalities involved. Levshin remarks[8] that even when the husband had no particular affection for her he was obliged to respect her and compel the other wives to do so. Zaleskie[9] points out, however, that the position of even the senior wife depended to a great extent upon the caprice of the husband. He describes a journey from one camping place to another in which the favored wife of the moment, mounted on a horse, led the procession in which others followed on camels, while she who was in disgrace at the time brought up the rear on foot, as the ultimate humiliation. My informants explained that the chief cause of friction within the household was that the senior wife delegated the heaviest and most disagreeable tasks to the junior, while she herself was jealous of the sexual preference shown by the husband for her younger colleague. On the other hand, according to Karutz,[10] the senior wife in some cases, especially if she were childless, would herself select a younger wife for her husband in order to have children in the family and assistance with the domestic chores. Grodekov says that in case of continual quarrels among several wives of a man the local judge (bij) might intervene and apportion the various household goods, furnishings and utensils among them in order to keep the peace.[11]

593 Of the general position of women in the Kazak family there are conflicting points of
562 view. Radlov[12] considered them as rather worse off than among the Kalmyk who, of course, were not Mohammedans, and thought that the Kazak treated his wife as his property because he had bought her at a high price. Domestic quarrels were frequent and the husband customarily addressed his wife in a harsh commanding voice. Levshin[13] remarks that the

[5] See also Levshin, *Description des hordes*, 363; Zaleskie, *La Vie des steppes*, 24.

[6] *Aus Sibirien*, 1: 484.

[7] Toqal is a somewhat rude term translatable perhaps as "wench." Kici əjel is preferable, meaning simply "younger wife."

[8] *Description des hordes*, 363.

[9] *La Vie des steppes*, 24.

[10] *Unter Kirgisen und Turkmenen*, 113–14.

[11] Dingelstedt, *Le Droit coutumier*, 151.

[12] *Aus Sibirien*, 1: 484.

[13] *Description des hordes*, 353.

2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

593 562 woman but agreed that this position varied considerably from family to family. There were examples of hen-pecked husbands dominated by their wives, but these were looked upon with a mixture of disdain and amusement by the community.

[841] According to Mohammedan custom women are considered unclean at the time of menstruation, but the Kazak woman seems to have been little affected by this view because she could not be spared from the work around the camp to perform the proper ablutions, prayers and fasts.[21]

595 855 [60] When circumstances made it possible for each wife to have her own kibitka she brought up her children more or less separately from those of other wives. When there were two or more wives living in one kibitka maternal authority tended to become somewhat confused but under the general supervision of the senior wife. Children applied to other wives of their father the same term (cece) which they used for their own mother or, if it was necessary to distinguish, added a descriptive term: egej cece (stepmother). The several wives likewise referred to any of their husband's children as ul (son) or qɨz (daughter). As the children passed out of the infancy stage boys were brought up by the father, while the 852 girls were trained by their mothers.[22] Boys were circumcised at any time from three to twelve years of age by a mullah (Mohammedan priest). For this occasion parents were expected to give a feast. Levshin notes[23] that this ceremony was much more strictly observed than any other of the obligations laid down by Islamic law.

884 There were no ceremonial observances at puberty or coming of age, nor was there any fixed age at which a youth was considered to have obtained his majority. According to Grodekov's information[24] it might be anywhere from the twelfth to the fifteenth year, depending on the precocity of the individual. Inasmuch as the sign and symbol of having attained majority was to be master of one's own kibitka it also depended on the affluence of the parents, since the rich could afford to set up their sons at an earlier age. Girls could hardly be said to have ever come of age since a woman was "only half a man," but their marriage might be considered, in this respect, as equivalent to the son's obtaining his own [582] kibitka. The marriage of a girl might take place at any time from about nine years of age on.

597 Children were frequently adopted. This might be because their own parents had died and they would be taken in by relatives of the latter, usually by their father's brother. Or a childless family would adopt a son from one that had several, preferably also from among close relatives. Grodekov[25] further mentions reciprocal exchange of children between two families. I did not obtain any information on this point.

Adoption took place before witnesses and was symbolized by the child touching the breast of his foster mother, indicating that she considered him as her own. Such adopted

[21] See also Rudenko, *Ocherk Byta . . . Kazakov*, 49.
[22] See also Grodekov, *Kirgizy i Kara-kirgizy*, 33.
[23] *Description des hordes*, 356–57.
[24] *Op. cit.*, 36.
[25] *Kirgizy i Kara-kirgizy*, 37; see also Dingelstedt, *Le Droit coutumier*, 152–53.

2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

837 Adultery, by the Mongol code and also by the Kazak code credited to the Khan
684 Tiavka,[86] was punishable by death. Zaleskié[87] describes the unpleasant fate of adulterers. Adultery, however, in later times, came to be considered largely in the light of an offense against property for which compensation might be offered if it were acceptable to the husband. A wife might leave her husband and live with her lover provided the latter paid a bride price to the husband.[88]

595 It is difficult to distinguish between marriage and concubinage. My informants knew that Mohammedan law permitted a man only four wives but thought that additional women living regularly with him would also be wives. If he had obtained them by paying kalym they certainly would be. Grodekov says that a man might have as many wives as he wished, but if he had more than four he was expected to maintain sex relations only with the last four in the order of their acquisition.[89]

834 Sexual hospitality seems to have been unknown as an accepted practice. Grodekov writes:[90]

> Although the custom of sexual hospitality exists . . . in Siberia, in the south there is little of it. In one issue of statistical materials for the Turkestan district there is mentioned a custom by which the guest might place his hands three times on the breasts of a sleeping girl and if she did not push him away this was taken to indicate her acquiescence. The bii Kanaev [one of Grodekov's informants] denied any such right of the guest, saying "Such a thing could not be and would not even be mentioned."

My informants were mildly shocked at the suggestion, but one of them said that although a man certainly would not offer his wife or daughter to an overnight guest, yet if the guest happened to find favor in the eyes of a daughter she might join him of her own accord after the parents were asleep.

MARRIAGE

584 First marriages were usually arranged by the parents of the parties concerned, who, especially the girls, had very little voice in the choice of their mate. Grodekov,[91] however, indicates that a girl might break off an engagement with a distasteful fiancé but if she " . . . has been engaged from four to eight years the engagement is considered a marriage and she may not break it off if the man is unwilling." Also the privilege of the girl to at least protest is indicated by the curious statement: "When the daughter of a rich man or of a butcher attains the age of ten, or of a poor man fifteen, then the adat [customary law] permits a declaration from her concerning a reluctance to marry the man chosen by her father." Grodekov explains the inclusion of the butcher's daughter by saying that " . . . the daughter of a rich man, who eats well, and of a butcher, who lives on meat, reach their

85. Riazanovskii, Customary Laws of the Mongol Tribes, 57.

[86] Levshin, *Description des hordes*, 399.

[87] *La Vie des steppes*, 23.

[88] Dingelstedt, *Le Droit coutumier*, 151.

[89] *Loc. cit.*

[90] *Kirgizy i Kara-kirgizy*, 93.

[91] *Idem*, 36.

428 There are no statements about a vacant succession, since no one lives without relatives and friends, who appropriate this property for themselves. In case of some sort of epidemic such property would be stolen (Perovsk uyezd). (1)

[567]

1. Slaves could not possess property or receive an inheritance. A slave and his family who were received in an allotment did not inherit anything. An unalloted adopted slave or his children received a small share of the inheritance. A slave woman was taken by the successor. They might give her something in view of advanced age. If she had a son, /54/ he could receive a part, for example, one-third of the usual allotment or less, depending on the generosity of the deceased or the successor.

[575]

Children of concubines who were not adopted did not receive inheritance. The adopted ones received half of what the other heirs received. Communicated by Sultan Daulet Bushaev.

/54/ In ancient times, wergeld which was sentenced to be paid by the deceased was demanded to be paid by his heirs from the inheritance. But if the defendant died before the matter was decided, so that he did not have the possibility of clearing himself, the demand for the wergeld was refused. Now the heir takes part in the payment of the wergeld just as much as all the members of the clan which is paying the wergeld(khundas).

/55/ CHAPTER V.

Conditions for entering into marriage. - Matchmaking. - Oruntoy. - Wedding. - Gifts of the groom to the women. - The procession of the wedding couple to the groom's father.

[583]
582 Entrance into marriage is dependant on the payment of a kalym /bride price/ but not on the majority of the groom and the bride. (1)

1. Among the Alai Kirgiz the betrothal is most often settled when the boy is a year old, and rarely at a mature age. Communication of Grombchevskii. Matchmaking can take place also before the birth of a child.

The rich usually marry their sons when they are 12 to 15 years old, the poor much later, for example at 30 (Perovsk uyezd). In the

For kidnapping the bride before the full payment of the kalym, from 1 to 3 toguz are exacted in addition to the kalym. 583

The groom sends one or several animals every year on the account of the kalym, animals which have been raised at home or bought for money he has earned. The bride waits from 12 to 20 years for the full payment but no longer.

If after this the groom acknowledges that he is unable to pay it all, they either forgive the remaining amount and marry the daughter to him, or keep another daughter for him who is younger and can still wait, and marry the other one to another. In extreme cases they give the groom back what has been received from him.

According to the Shariat, it is impossible to have more than four wives at the same time. The customary law does not limit the number of wives, for a wife is only a female, urgashi isebinde. /Inserted page. Picture. Caption: Old Kirgiz woman of the Perovsk uyezd./ /85/ The man who has more than four wives lives conjugally only with the four married latest in time. The others become sufi, abstinent, and do not have marital relations (yatpeydi). 595

According to customary law, the husband of four wives should spend the night with each one in order. She whose turn it is to spend the night with him cooks the food. When there is a disagreement among the wives, the bii divides the dwelling quarters, all the utensils and even the animals (making earmarks) according to the number of wives. If one of them dies without children, the things entrusted to her are divided among the remaining wives (Perovsk uyezd).

The younger wives (tokal, or, more politely, kshi khatyn) show special respect to the oldest wife (baybishe). Otherwise they are all alike. The children of all the wives now have equal rights. [567] The children of slave women were without rights.

According to Umurbek, the baybishe can give orders to the younger wives and their children, if the latter are not greatly loved by the husband. If the children of the tokal are cleverer than the children of the baybishe, then they give them orders.

The agreement of the wives already married is not demanded for marrying another. They weep and wail (yilab syktab yuredi). Their displeasure is expressed in the words: did I not bear you a child, etc. According to another report, they do ask the agreement of the wives.

The period of mourning of the widow (idda) lasts 40 days, according to the opinion of some biis, and according to other reports, 4 months and 10 days (for the childless 3 months). A widow or divorcee 765 587

[Not reproduced -- A.]

4:Grodekov--84 E-5 (ca 1885) 1889 RQ2 Kazak RQ2

562 837

The custom of hetaeristic hospitality exists in secret in the north and in Siberia, but less in the south. In one of the volumes of the Materialy dlia statistiki Turkestanskago kraia, a custom is mentioned where a guest puts his hand on the bosom of a sleeping maiden three times, and if she does not push it away, it signifies her agreement. Bii Sultan Kanaev denied such a right of the guest, adding: "This is unthinkable" (ol suz imes).

562 421 593

A wife and children who have not received their allotment do not have any property. If the wife lives with her husband, she takes part with him in the use of the property (malyna sirik). But she cannot manage the property under her supervision (khatyn biyleb mal beralmeydi). In the absence of the husband she manages the property. For example, on the demand of her husband's friend (tamyr), if he is dependable (isenimdi) she gives him things for his use, or gives them to him as a gift. When the husband returns he may not give his consent, and then the gift is taken back. The same thing takes place with an object sold by the wife in the husband's absence, in accordance with the opinion that "women have half a mind" (khatynnyng akyly yarymdyk) and according to the proverb: "a woman is without a mind, a frog is without a tail" (khatyn akylsiz baka kuyruksyz).

421 562 612

Among the Kirgiz, spouses have common property (inchiles). Wergeld for a wife is not received by her husband, but by her clan. If she /94/ was wounded by someone, the fine for the wound, if the fine was called aibom, is received by her husband. But if this fine was recorded in the decision under the name of wergeld, then it is received by the kinsmen of the wife.

428

The wife who goes away from her husband does not take anything wiht her (according to Abdrakhman, of the Auliye-Ata uyezd). Maykut (Auliye-Ata uyezd) transmits the information that in antiquity like the Siberian indigenous peoples according to Samokvasov, the property of the childless deceased wife, consisting of her clothing, fur coat, rug, blanket, bridal headdress and kerchief, is returned to her father or the person who married her off with this dowry.

562 [595]

If a wife complains of the squandering or unprofitable exploitation of property by her heedless husband the bii does not accept such a suit in his examination, but sends her to the nearest aksakals, clan chiefs and authoritative kinsmen.

A wife may trade only with the agreement of her husband. A widow (tulkhatun) is not prevented from trading.

562 695

A wife appears in court: 1) on matters of offense by the husband, etc., 2) in place of minor children, in the absence of her husband or

[198 cont.]

×648 All this took place in August, 1742. At this same time Abulkhair, his son Erali, the famous Batyr Djanibek, several sultans and elders, and the common people who were then with him swore an oath of loyalty to Empress Elizabeth. On this occasion, after the feast, a company of grenadiers performed their rifle practice. The Dzungarian envoys had not yet gone, and Abulkhair did not fail to say to them that one could be secure under the protection of the Empress of Russia, who had such troops.

[128] After the departure of the envoys, Nepluev did his best to show Abulkhair that neither the Little nor the Middle Hordes should attack the domains of Galdan Tsyren. Abulkhair seemed to yield to his admonitions and promised that in future his subjects would not renew their former raids.

Similar admonitions were still more needful to Abul Mahmet, khan of the Middle Horde, who was even closer to the Dzungars and who had recently felt the cruelty with which they avenged

×648 their injuries. Nepluev was expecting him at Orenburg at this
[662] time, and he was only a day's journey from there, but he turned on his tracks because of rumors spread by Abulkhair that he and his elders would be held as prisoners when they arrived on Russian territory. Hoping that the reason for Abul Mahmet's departure would never be known, Abulkhair asserted his own submission to Nepluev, which he set up against the supposed obstinacy of his rival, whom he sought every means of injuring. The motive of all these schemings of Abulkhair was not only to injure Abul Mahmet but also to carry out a plan which was quite difficult to accomplish. He wished to give [199] another son, Chingis, in exchange for his son Khodja Akhmet, who was then a hostage in Orenburg.

● [595] But Chingis was the son of a concubine and not of a khaness, and Nepluev, who was acting according to the instructions and views of his predecessors, could not receive Chingis in place of Sultan Khodja Akhmet. The Khan was so angry at this refusal that he

[622] wished to leave immediately, but he soon calmed down and agreed to await the decision of the supreme authority on this matter.

The artful, hypocritical, ambitious, and violent nature of Abulkhair was diametrically opposed to the mildness and goodness

585 /219 cont./
[431] gift from him, not to speak of the special and obligatory ones, such as "lyu," the gift to the bride's father and kinsmen, "syuzaky" to the family "for the milk of the mother," etc. The groom continues to come and visit the bride for a certain length of time (a year, sometimes more or less). He brings the remaining part of the bride-money, and livestock as a gift ("toy mal") to compensate for the expenses of the wedding. In addition pieces of felt are brought for the yurt which is put up especially for his visit. The wooden parts are given by the bride in her dowry. The bride is led to the new yurt, and the celebration begins, during which a didactic song, "Zhar, zhar," is sung (literal translation: "concerning two halves"), in which advice is given as to what sort of wife the bride must be. After this the yurt and the entire dowry of the bride are packed, and the bridal couple (the bride in her wedding attire) ride to the village of the groom, accompanied by the bride's mother. Upon their entrance into the tent, fat is poured on the hearth and there is
[178] kneeling. The groom's mother reads instructions to the bride and with a short staff raises the veil from the bride's face (a new custom, not known among the simple Kirghiz /Kazak/. After this, a new celebration begins, with games and in particu-
585 lar racing. Under the influence of Islam the ritual of marriage
177 takes place after the groom enters the tent. A mullah reads a prayer in Arabic (which, consequently, no one understands) over a cup of water in which a coin is placed and then asks the bridal couple for their consent, gives them the water to drink, and then gives it to all those present, keeping the coin for himself. After her arrival in the village, the bride does not have
585 the right to call the men by their names, but must give them
553 new names (a survival indicating the subservient and low position of the woman in the family).

582 Most of the marriages take place when the bride is 14-18 years of age and the groom is 18-20. There are also grooms
• 595 75 years old and grooms in the cradle. Although Moslem law permits polygamy for the Kirghiz /Kazak/, it is not widespread since it requires great expenditures and is possible only for the rich. Most of the Kirghiz /Kazak/ have two wives (an old one and a young one).

595 Traditionally, the Kazakh was permitted to have more than one wife. However, very few men were able to afford the expense involved, because [583] marriage required large payments by the family of the groom to the fam- [554] ily of the bride. For those who could afford it, the possession of many wives meant an increase in prestige and status. Sometimes a man took another wife because he had not had any sons by the first wife. But in general, even though plural wives were permitted, such marriages were few in number. In 1926, only 104.5 women were reported as married [104] per 100 married men, exclusive of widows and divorcees. In Tsarist times the number was not much larger. At present polygamy is forbid- [648] den by law. Nevertheless, it is stubbornly maintained by the Kazakhs, and cases are constantly being reported and denounced in the Soviet [554] press. It is still a matter of status and prestige; the bulk of the polyg- amous marriages reported today involve men of high position in Soviet life, such as Kazakhs who are presidents of collective farms.

233 The Kazakh herds are composed of sheep, goats, cattle, horses, and 221 camels, usually in that numerical order. Herds cannot be maintained through the entire year in one place, because the grass on the steppes is not rich enough to support them. They must move from month to month and from season to season. However, there are too many herds- men and not enough steppeland to permit indiscriminate wandering. The usual pattern is for a nomadic camp to set up winter quarters where many smaller herding groups come together for religious and economic purposes. Here they store their hay through the winter to feed the live- stock, and put up windbreaks against the winter storms. In the early spring they disperse into smaller herding groups of a few families each, and proceed over traditionally fixed grazing routes to the summer camp which they occupy until early fall. Nomadism is a fixed annual round of movement, not a haphazard one.

166 The 1926 census reported that 5.8 per cent of the Kazakh males had established residence outside the district in which they had been born. The comparable figure for women was 20 per cent. The explanation for 591 this difference lies in the marriage customs, under which a Kazakh woman traditionally moves to her husband's family residence. It is almost unheard of for a man to move to the home of his wife's kin or for both to move together to a new residence. Most of the marriages involved a woman's moving only a short distance to her husband's fam- ily. But at least a fifth of the women had to move away from their native [584] districts; this usually meant that the marriage had been arranged for them at some distance from their birthplaces.

No significant changes in Kazakh life had taken place by the time 177 the first Soviet census was taken in 1926. The first few years of Soviet- 648 ization had left the Kazakhs more or less untouched. Their economic life, their family life, and the traditional organization of their society had changed only externally. They had come under the unified rule of Moscow instead of continuing their own loose social groupings, but Moscow had not yet begun the transformation of Kazakh life, nor had the Kazakhs yet faced the problems involved in accommodating to or resist- ing Soviet influence.

may even place the authority in the hands of an adult son, if he has one, or a brother. Recourse to such action may be taken only rarely, but it is nevertheless a recognized delimitation of paternal powers. The parental authority over the son serves as the model for all authority patterns in Kazakh society, such as those involving the village elder, the clan leader, the beg, and the khan.[1]

In the past the parental authority was limited in another sense; the family was part of a village which camped and pastured its herds in common. The leaders of the village decided when and where to camp, when to change camp, when to break up the winter concentration of herds and families and move to the more dispersed spring and summer pastures.[2] A family head disobeyed these decisions at his risk. It was to his interest to follow them, since he gained many things thereby: fellowship, social position, protection from dangers by weight of numbers, assistance in time of need. The village in turn was subordinate to the clan authority if there was one. In case of raids, feuds, or other breaches of the peace, a village leader would appeal to the clan chief for aid. In a dispute between villages, a village elder would appeal to his clan chief for a judgment in his favor.

The village elder was the judge of his community, and decided all cases, usually with the support of the other senior men of the village. Appeals from their decisions were rare, defiance of their decisions even rarer. Behind the judgment of the village leader and the other elders lay the force of social solidarity, the weight of the entire village; defiance meant ejection and flight. Defiance of father by the son had similar consequences. The ultimate authority rested with the khan, if there was one, and if he cared to use his power, for he backed his authority with an army and the right of punishment by death or imprisonment, in addition to the force of his position.

The Kazakh household could include several wives if the position and wealth of the master allowed it. In one community studied, the Adai lineage on Mangyshlak peninsula, half the men had only one wife and half had two. In general, very few families contained more than two wives, although there is in theory no upper limit on the number of wives (exclusive of concubines) that a man can have. The ideal number of wives in princely families was considered to be five or nine—in contrast to the ideal number of wives for Moslems which the Koran gives as four. The family and marriage patterns of the Kazakhs are among the traits which give a pronouncedly non-Islamic coloring to their society.[3]

A youth was given his own tent and appurtenances when he came of age; traditionally he was soon to be married, and in fact a substantial number were married by the time they were 20 years old. Even as late as 1926, 222 out of every 1,000 males were married by that age, and in former years the rate was higher. The tent was not identical with the household unit. A young married couple with children did not

[1] Izmailov, 1897, pp. 5, 11.
[2] Radloff (104), 1893, p. 513; Rudenko et al, 1930, pp. 4-8.
[3] Karutz (73), 1910, p. 42.

live as an independent unit, even though they had their own tent; the group was still part of the husband's father's household.[1]

Extensive studies done in the early 1920's by Rudenko describe the family life among Kazakhs of the Middle Horde. In one aul or nomadic village, there were 13 tents in a line. Five of the 13 "belonged" to the head of the aul, and of these three contained women; that is, three were tents of married persons, for women received tents only on marriage. Rich auls were small, with few families; poor auls were large, with many families joining in their poverty. One such poor aul contained 60 families; Samoilovich describes a richer grouping of 505 tents in 100 auls of three to eight tents each.[2]

Very little information is available on the size of households or the extended family. Samoilovich gave 2,408 as the number of individuals living in the 505 tents, or 4.76 per tent.[3] Equating tents with married couples, but also allowing for bachelors and childless couples in some tents, one can infer a high fertility in this particular community. This account is one of the very few detailed demographic pictures of a small community of Kazakhs living in the traditional fashion. It is difficult to generalize from such a description, but one gets a sense of the direction such figures are likely to take.

In Turkic nomad communities there are generally fewer women than men; a ratio of 900 females to 1,000 males exists among Kazakhs. The Kirgiz and the Yakut of Northern Siberia present a similar picture. Among these people, however, men tend to marry late in life, while social norms dictate that women marry early. This is shown by the fact that, in 1926, 41 out of every 1,000 Kazakh males reached the age of 40 unmarried, while only three out of every 1,000 women were still single at 40. More than 75 per cent of the women married by the age of 20; Kazakh men reached that percentage only in the age group 30-34. Hence there is actually a surplus of women seeking marriage, and this allows for a certain amount of polygamy, since a woman will marry a man who already has a wife rather than remain unmarried.

As noted before, the extended family is patriarchal in character; authority is vested in the senior male of the household. All decisions rest with him, and rarely can appeal be made beyond his word. The entire society centers around the father-son axis, the central point of the marriage life and family happiness is the bearing of a son. The son is the assurance that the line will be continued; on a larger scale, this pattern of descent in the paternal line is the web that holds the society together. This is an extreme case of a father-son oriented society. Few of the factors which tend to modify strict patriarchal control in other societies can be seen here. The Chinese and the Japanese have a patrilineal family system, but in these societies, although the father is the center of authority, the mother is the center of a different circle of emotion, one of love and warmth, and the family life involves both circles.

[1] USSR Census 1926, vol. 54.
[2] Rudenko *et al*, 1930, p. 311.
[3] Samoilovich, in Rudenko *et al*, 1930.

she is physically a part of her paternal family but socially, spiritually, she is already on her way to join her husband. Among the Turks of the eighth century, a man could sell his daughter, provided she was neither betrothed nor married, if he could not otherwise pay the sum levied against him for a crime. These ancient Turks could not sell their wives, but could make seizure in such a case—but only such an extreme case—on the dowry which the wife had brought with her.

Yet a woman is not without rights among the Kazakhs. There is a considerable progression in her social status and personal rights when she advances from an unmarried to a married state, a progression which was true for the ancient Turks as well as for the Kazakhs, their descendants.[1] The modern unmarried Kazakh girl has no property, but on betrothal and marriage she obtains certain property rights. The married woman receives her dowry which she, not her husband, controls. She may reserve it from her husband's estate and make provision for its distribution among her own children, to prevent children of her husband by another wife from falling heir to her property.[2]

The ethnographer Karutz comments that although a woman's family receives a certain amount of bridewealth from her husband's family on their marriage, this bridewealth is hardly commensurate with the cost and care of her upbringing.[3] (For poor Kazakhs bride-service, in which the youth works for the wife's father for a term, may take the place of payment of the bridewealth, but this is not the usual pattern.) One gains the impression that a girl prior to marriage is barely tolerated in her parental home. She is there on sufferance until the day she marries and moves to her husband's home. A woman is a temporary resident in her father's home, a permanent resident in her husband's home. And the long-established member of the Kazakh community, especially if she is a woman, has a position which the newcomer does not. The mother-in-law has superiority over the son's wife.

A woman advances in status when she marries; she advances still further when she bears a son. The marriage arrangement between two Kazakh families is in the nature of a contract, the purpose of which is the passage of a woman from one line to bear sons for another.[4] The terms of the marriage "contract" involve a complex series of exchanges; bridewealth is paid by the boy's family to that of the girl, or bride-service is performed by the groom for the bride's father, a dowry is stipulated, and feasts and sumptuous gifts are exchanged between the families in as many as seven ceremonies. The riches of the exchanges vary according to the wealth and status of the families. Among rich families, each tries to outdo the other in outlay; among the families of moderate wealth, traditionally fixed sums are exchanged; among the poor, the marriage takes place merely through the exchange of a sheep or a kid.[5]

[1] Bichurin, 1950.
[2] Izvestsov, 1897, pp. 67-70.
[3] Karutz (72), 1911, p. 100.
[4] Krader (78), doctoral dissertation, 1953, ch. 6.
[5] Karutz (73), 1910, p. 38.

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Kazakh men may take more than one wife for many reasons, perhaps to gain the prestige of numerous wives, or because the first wife has not borne a son. A barren or sonless wife may be divorced and sent back to her family. The fortunate woman who has borne a son is endowed with property which is hers to hold in trust for her minor children. Should the mother of a son be widowed, she is a free agent and may remarry or not, as she pleases and whom she pleases. If a widow has no children or has only daughters, she may be forced into leviratic marriage (i.e., marriage with the brother of her deceased husband). If she has only daughters, her family may be broken up at the death of the husband.

586 593 589 [587] 581

It is in the light of these various changes in rights and statuses that the marriage is seen as pointing to the bearing of sons. There is great joy at the birth of a son, for thereby is the continuation of the line assured, and thereby is the marriage fulfilled.

587 596 [581]

The leviratic marriage is actually a form of social insurance, for thus does the Kazakh society take care of those families without a male head. The position of the conjugal family within the framework of the extended family is shown by this practice. A woman weds not her husband but her husband's family; when she marries her husband, she potentially marries her husband's brother. The marriage arrangements are made between the families, and the partners involved are not consulted. The line of the family flows not only through the husband but through his brother, and through all the close kin in the male line within the family. In medieval times, the son among both Turks and Mongols also married the widows of the deceased father other than his own mother,[1] but this form of marriage is now taboo.[2]

596 [561] [593] [606]

Within the extended family, and among close kinsmen generally, no one has his exact equal in status. The first basis for differentiation is the generation to which one belongs, the second is the order of birth, the third is chronological age. The age criterion is the least reliable and the least used, but it is there. Kazakh brothers and sisters are ranked according to order of birth, and treat one another with authority or with respect accordingly. Cousins are likewise ranked according to the order of birth of their fathers. The second son of the elder brother does not necessarily take precedence over the elder son of the second brother, however; here complicating factors come in, such as the chronological ages of the cousins in question. If there is a wide disparity in age, then the older cousin takes precedence regardless of birth order. A Kazakh treats his older brother as he does his father's younger brother, and his older sisters as he does his father's younger sisters. He calls them by the same terms and acts toward them in a similar fashion.[3]

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Authority and respect tend to follow similar lines outside the family, in the village, clan, and khanate. These latter authority relations are modeled on the paternal, in a way similar to the Chinese, the Japanese, the Roman and South Slavic societies. In considering these parallels,

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[1] Bichurin, 1950, p. 230.
[2] Grodekov, 1889, p. 29.
[3] Imantaev, 1897, p. 11.

under the direction of the village leader. The leader and the elders decided all questions concerning village activities. The administration of justice was in the hands of the elders, while the enforcement of decisions was a common village enterprise; thus the village peace was kept. The raw framework of the village collectivity moved as a unit into the Soviet era.

The Kazakh lineage supplied the basis for the practice of marrying outside the group. The lineage occupied a common territory, and during the course of the past century the unit of common residence rather than the unit of descent and kinship has served to regulate marriage. Wives are sought outside the village; girls leave their native villages to join their husband's people, although this may not involve moving a great distance. The lineage is today generally identical with the village, and under the Soviet regime, with the collective farm. There is today the practice of kolkhoz exogamy.[1]

The practice of polygamy has likewise proved compatible with Soviet conditions. In former times, the many-wived family was the family of the well-born, the rich, the influential; today, the many-wived family is that of the village leader, the kolkhoz president, the brigade foreman. The leviratic marriage of the widow to the brother of the deceased or to another close kinsman has also accommodated itself to Soviet conditions, within the framework of the extended family, for among the peoples of the steppe this practice depends upon and reinforces the extended family structure. In Kazakhstan, the extended family rests on the close integration of several fraternal households and the conjugal families of a father and his sons and at times even grandsons.

The Soviet ideological campaign has directed attention to the practice of polygamy among leading elements in Kazakh collective farms; similarly, a number of reports indicate that leviratic marriage is still practiced. Soviet ethnographers do not discuss these institutions from the standpoint of the functions of the Kazakh extended family and the Kazakh village community. Instead, they have made a political issue out of what they are pleased to call the survival of the feudal mores. But they choose to ignore the fact that the practices which they condemn are part and parcel of the existing family and village system.

The status of women in Kazakhstan is a serious question to Soviet ideologists. In 1944, in 1949, and again in 1951, the Kazakh Party leadership was briefed by the Central Committee in Moscow regarding the participation of Kazakhs, of Kazakh women, and of literate and educated people in the Kazakh Communist Party (see Chapter 6, which deals with the Party). That the program has evidently fallen short of plan is suggested by the repetition of the instructions. The Kazakhs are not coming forward for training in Party work, despite the fact that they are periodically encouraged to do so, and despite the prestige and material advantages of Party membership. And the women lag behind the men in this respect.

Woman's position in Kazakh society, and the Soviet failure to understand the background of this position, has important consequences in the

[1] *Ibid.*, p. 86.

Marriage in the Great Horde

A Kazakh proverb runs: "A [illegible] (agricultural Turk of Central Asia) who becomes rich builds himself a house; a Kazakh who becomes rich buys himself wives."[122] In this proverb a number of values in the Kazakh system are made clear: the relationship between marriage and wealth--notably bridewealth; the relationship between polygyny and wealth, in addition to the explicit content of the proverb, that wealth is a means to the end of acquiring wives, that a high social value is placed on polygyny.

The rules of marriage have been already mentioned in connection with the definition of lineage exogamy, and the definition of the lineage by the rule of exogamy. The question of the rules of marriage may now be raised in respect to the family, where in addition to lineage exogamy, the following marriage rules were in force at the end of the 19th century:

1. A father cannot marry his daughter-in-law's mother.

2. Two brothers cannot marry two sisters.

In these two rules, relationship in the maternal line is as powerful a determinant as that in the paternal line. The sons of brothers are permitted to marry sisters, despite the prohibition placed on brothers marrying sisters.

3. Marriage with the step-mother, step-sister or step-daughter is strictly forbidden.

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[122] Lingelstedt, 155.

[Great Horde]

595 Despite the frequent reference in these rules to plural wives, the Kazakh household was normally monogamous; polygyny was practised only when a man was rich enough to afford it, or if the first wife was childless, specifically, without sons, which was reckoned the greatest misfortune to a household.[124] While in Grodekov's [597] version of the rules, the practice of the levirate was possible on widowhood, the custom is put more strongly by Radlov who proposes that its occurrence was virtually automatic on the death of the husband.[125]

When the rich Kazakh acquired many wives, he set them up in separate tents, usually in different encampments, and spent part of the year in each locality, hoping thus, apparently, to avoid trouble. If the wives lived in the same encampment, it was the eldest wife who alone was the mistress of the combined households, and the younger wife was in a miserable position. Nevertheless, in terms of the general context of Islam, polygyny was rare.[126]

619 While there were yet Kalmuks in the vicinity of 88 the Kazakhs, at the beginning of the century, there were not a few intermarriages between the two groups. The Kazakh did not oblige the Kalmuk wife to change her

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[124] Radloff, op. cit., I, 484; Izrastsov, 70.

[125] Radloff, op. cit., I, 484-5.

[126] Ibid., 484.

[Little Horde]

596 spective wife's elder male kin is but one aspect of
602 this respect relationship, another being that of the function of the go-between, and the initiation of the betrothal proceedings by the family of the groom, who came as supplicants for the daughter-in-law. Nevertheless, a family did not wish to have daughters, it desired sons, even though it might gain some prestige
[581] by marrying the daughters off. The emphasis on sons[1] is a correlate of the patrilineal orientation of the entire society, its patri-centrism in values.

595 The Kazakh family of the Little Horde, as elsewhere on the steppe, was polygynous if it could afford to be. On the Mangyshlak peninsula at the beginning of the 20th century it was estimated that 50 percent of the marriages were monogamous and the other 50 percent consisted of two wives, although the Kazakhs were permitted as many as five in theory. The motivation for seeking a second wife was accounted to be childlessness[204] and is exemplified in the proverb, "The more mares the more colts."[205] The Kazakhs were fully aware that the solution of one problem, the need for children, precisely, male issue, in turn raised another issue, that of possible conflict between the wives. The wives therefore were kept in separate tents;[206] again, a man rarely remarried a second wife without the prior consent of the first.[207][2]

[204] Karutz, Kirgische Hochzeit, 42.

[205] Altynsarin, 103.

[206] Karutz, loc. cit.

[1] [cf. especially, cat. 116, AHI Mongolia, p. 478 -- Analyst]

[2] [for text note cf. cat. 116, AHI Mongolia, p. 482 -- Analyst]

-482-
[Little Horde]

600 married a second wife without the prior consent of the first.[207] However, the maintenance of separate households was not correlated exclusively with the need for diminishing family friction, it was closely associated with the distribution of family property among the various segments of the household, as we shall see when the question of inheritance and succession within the family is taken up. Briefly, subject to later confirmation, it may be said that the wealth of the family was settled on the sons during the father's lifetime in a polygynous family, and if the settlement was made while the sons were still minor, the wife living in her own tent with her children held the patrimony in trust until her sons came of age. There was some change of roles within the household: while in the 1870's the first wife was the mistress of the menage, by the turn of the century the second wife could often rule over the first.[208]

595 428

587 A certain number of the polygynous households were the result of the levirate where the surviving brother was already married. A proverb of the Little Horde runs:

aga ulsa dzengo mura
eni ulsa kelin mura
at ulsa saury mura.

"If the elder brother dies, his wife goes to the younger

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[207] Balliuzek, 85-86.

[208] Karuts, loc. cit.

[Inner Horde]

621 This pattern obtained for the lineage, for the aul, for
576 the extended family, and in these cases, a fortiori, when any or all coalesced in one unit. The aul was the nomadic unit, which camped, moved, and pastured its herds together.

575 The family was polygynous, but the usual family had but one wife, and more than two wives in a family was virtually unknown. Two reasons are given, the kalym was high and women were few. In the polygynous household, the first wife was in a favored position, for she could only be punished by the husband, while she in turn could punish the others, a distaff reflection of the rule of patriarchal authority and of seniority. This contrasts with the situation in the Great Horde, where
[562] the first wife had no such preferred status. On the other hand, the wife enjoyed considerable freedom in general, and there was something close to equality of the spouses.[245]

428 The children of all the wives inherited equally from the father, and both sons and daughters shared in the estate,[246] the daughters' portions being the settlement of a dowry. On the marriage of the first-born son, he was usually charged with the support of the senior wife, his mother, in keeping with the prin-

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[245] Ibid., 107-108.

[246] Ibid., 108.

596 and valuistically oriented toward the need for sons, patricentric-filiocentric. The Kazakh family in the early Soviet era was conservative, even archaic in these respects; in others, a number of acculturative innovations had intervened. The eradication of the distinction between black bone and white bone had been complete by then; the social stratification was now simplified to rich and poor; even influence reckoned in terms of the number of kinsmen came to play a subordinate role.[284] A wealthy Kazakh would find those eager to establish a close agnatic relationship with him, support him in disputes, and thus seek his favor.

595 The factor of wealth determined not only the number of those who asserted close consanguinity, it also correlated directly with affinity. Polygyny was permitted and continued to be practiced into the 1920's,[285] although the Soviet regime sought half-heartedly to make monogamy universal (checked at that time by a laissez-faire policy toward nationalities). The wealthy Kazakh could afford plural wives, although he rarely had more than two; there is one case of an exceptionally important man who had three wives, but his circumstances indicate his outstanding position; for example, his aul had 13 tents in it, whereas the aul in these parts ranged between

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[284] Ibid., 66.

[285] Ibid., 67.

three and eight tents.[286] The Kazakh of moderate means could afford to have only one wife; but there were those who were without families at all, and these were the very poor.[287]

The relationship between wealth and family composition was intermediated by the continued existence of the kalym.[1] But there was also a relationship between consanguinity and affinity, because a man's kin contributed to the payment of the required bridewealth;[288] if he had no consanguineal kin and no wealth of his own, he might even go unmarried. Thus we may observe, on yet another level, the inter-functioning of patrilineality, marriage, and wealth.

The bride on her part brought as her dowry a tent and household goods, as well as livestock to her husband. The dowry, however, was not fully integrated into the family estate, i.e., the husband's patrimony, for, in Kazakh customary law, the husband could not dispose of the wife's dowry without her agreement.[289] And in this we have a line of continuity from the earliest records of the Turks of the 6th to 8th centuries, A.D., into the

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[286] Ibid., 54.

[287] Ibid., 67.

[288] Idem.

[289] Idem.

[1] [i.e. in the 1920's; cf. cat. 116, AHI Mongolia, p. 244ff. -- Analyst]

221 noontime. Then another such march is taken, so
361 that on the average /341/ the nomads move about forty versts in 24 hours, if there is no reason to hurry or to slow down.

595 Among the Kazakhs, as Moslems, there is
592 polygamy, but since the support of the wives and the payment to their parents for their purchase is quite burdensome, Kazakhs only rarely have two or three wives, while many have four (sic). The poor, however, have only one wife for the most part. Usually the oldest brother in the family has several wives. He is also the head of the family while it is living together, and his first wife directs the entire household. This wife is called 'baibicae' and not only are the other wives of her husband subordinate to her, but also all the female members of the family. Often the head of the family sends off part of the herd under the leadership of this wife for several hundred versts, and remains himself around the plowed land and his young wives, or else leads a nomadic life with the other part of the herd separately. In the winter, however, they travel together.

428 Inheritance. Usually the Kazakhs divide the inheritance while still alive with their grown sons, either upon their marriage or shortly thereafter. In all cases the rule is observed that the children of each mother receive an inheritance only from the estate of their mother, and not from the dowries of the other wives of their father. Also, after the death of the husband the wife keeps exactly her part of the dowry. The daughters are given in marriage, and after that they have no right to inheritance from the father if there are sons.